

Prob12B
(7/93)

**United States District Court
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Jerome Barboza

Case Number: 1:08CR10140

Name of Sentencing Judicial Officer: Honorable Mark L. Wolf, Senior U.S. District Judge

Date of Original Sentence: March 11, 2009

Date of 1st Revocation Hearing: April 29, 2015

Original Offense: Distribution of Cocaine Base, 21 U.S.C. § 841(a)(1)

Original Sentence: 24 months of custody followed by 48 months supervised release

Revocation Sentence: 12 months and 1 day of custody followed by 36 months supervised release

Date First Term of Supervision Commenced:
February 22, 2010

Date Second Term of Supervision Commenced:
March 26, 2021

Type of Supervision: Term of Supervised Release

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years
☒ To modify the conditions of supervision as follows:

The defendant shall be subject to home detention to be monitored with RF location monitoring for a period of 90 days. While subject to electronic monitoring, the defendant shall pay the costs of the monitoring. The defendant shall be restricted to his residence at all times except for employment, education, religious services, medical, substance abuse or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities approved in advance by the Probation Office. The defendant is responsible for returning the monitoring equipment in good condition and may be charged for replacement or repair of the equipment.

CAUSE

According to an Acushnet Police Department arrest report dated March 13, 2022, Mr. Barboza was stopped while driving for "straddling the yellow marked lanes." Other occupants of the vehicle included Rakeem Waller and Sidney Pires Fonseca. Mr. Waller is a convicted felon and had a warrant for a probation violation out of New Bedford District Court. Sidney Pires Fonseca has open firearms charges out of New Bedford District Court. Rakeem Waller was arrested.

On March 14, 2022, this officer called Mr. Barboza and discussed his activities and conditions. Mr. Barboza

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confirmed he associated with a known felon, which is a direct violation of his conditions.

Mr. Barboza has also failed to secure lawful employment since his release. This officer has provided multiple employment opportunities and resources to Mr. Barboza.

As a result of the above violations, the Probation Office believes a sanction must be applied to address the aforementioned non-compliance given he had previously been warned about his associations. Mr. Barboza has agreed to the above modification as evidenced by the Probation Form 49 attached to this report.

Reviewed/Approved by:

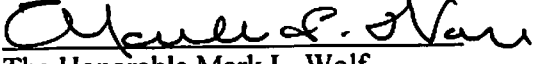
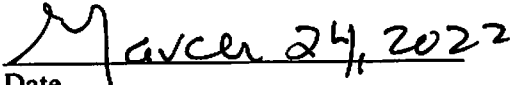
/s/ Gina P Affsa
Gina P Affsa
Supervisory U.S. Probation
Officer

Respectfully submitted,

/s/ Lacey Francis
by Lacey Francis
U.S. Probation Officer
Date: 3/15/2022

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


The Honorable Mark L. Wolf
Senior U.S. District Judge

Date

PROB 49
(3/89)

United States District Court

For the District of Massachusetts

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

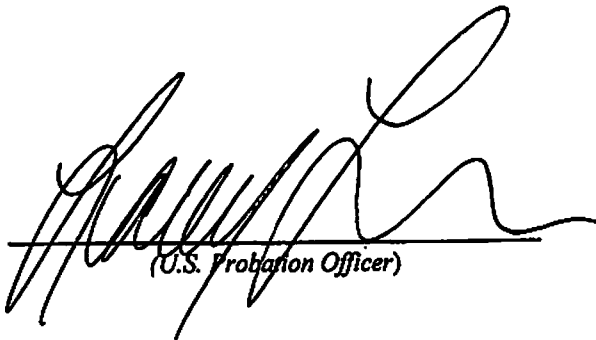
I, Jerome Barboza, Dkt No 1:08CR10140-001, have been advised and understand that I do not have to agree to this proposed modification(s). I have been advised and understand that instead of signing this form today, I can consult with an attorney and report back to the Probation Office within 48 hours as to how I would like to proceed.

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

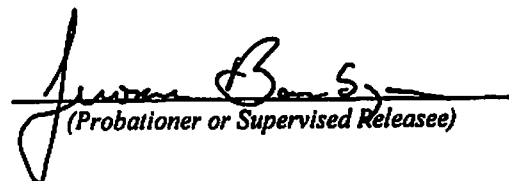
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant is subject to home detention to be monitored with location monitoring and shall pay the daily rate until June . 2022, the date of his expiration of supervision. The defendant is restricted to his residence at all times except for employment, education, religious services, medical, substance abuse or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities approved in advance by the Probation Office. The defendant is responsible for returning the monitoring equipment in good condition and may be charged for replacement or repair of the equipment

Witness


(U.S. Probation Officer)

Signed


(Probationer or Supervised Releasee)

3/15/2022
(Date)